
State Water Resources Control Board

UST Cleanup Fund Program Update

http://www.waterboards.ca.gov/water_issues/programs/ustcf/

(as of October 16, 2012)

FISCAL YEAR 2012/13 REIMBURSEMENT REQUESTS

As part of the Fund's efforts to prevent and identify fraud, waste, and abuse, and to ensure timely reimbursement of eligible costs, the Fund is taking some additional actions and asking for claimant cooperation in this effort. These efforts will also allow the Fund to streamline some of our internal administration processes, and should allow for quicker review and processing of submitted invoices.

FUND REGULATIONS REGARDING INVOICES

Existing law requires various information be included on invoices submitted to the Fund for reimbursement. Historically, Fund staff has not returned invoices that do not meet the regulatory requirements, but instead have contacted claimants directly for clarification. This process has slowed down reviews of reimbursement requests (RRs), and has fostered inconsistency in submitted invoices and RRs.

As part of the Fund's process improvement efforts, **beginning December 1, 2012, the Fund will return any RRs with invoices that do not meet the requirements in Fund Regulations.** These RRs can be re-submitted with the missing and required information for Fund review and processing for reimbursement of reasonable and necessary costs. However, the RR package will receive a new received date.

REQUIREMENTS FOR INVOICES SUBMITTED TO THE FUND FOR REIMBURSEMENT

The following is the relevant regulation found in Fund Regulations Section 2812(d):

(d) Reimbursement requests must include invoices and auxiliary documentation that demonstrate to the Division's satisfaction that the corrective action and regulatory technical assistance costs claimed by a claimant are eligible. Invoices must include, at a minimum, all of the following:

- (1) a brief description of the work performed;
- (2) the date when the work was performed;
- (3) the consultant's or contractor's name and address;
- (4) the name or initials of the person performing the work;
- (5) the job classification or title and hourly rate of the person performing the work;
- (6) the hours charged for each task per day;
- (7) the cost amount of the work performed;
- (8) if the invoice is for telephone calls or meetings and is submitted to support a request for reimbursement of regulatory technical assistance costs, then the invoice must identify the subject of the telephone calls or meetings and the person contacted; and
- (9) If the invoice identifies typical overhead costs (such as clerical support, copying costs, postage costs, and telephone costs) as distinct costs, then documentation should be submitted explaining why these costs are not included in the billed rate.

RRs FOR CLAIMS IN THE REMEDIATION PHASE

The highest costs generally are incurred during the remediation work phase. The Fund reviews RRs for claims with sites in the remediation phase (both start-up and operation and maintenance) for cost-effectiveness and efficiency. To reduce processing time, claimants submitting RRs in the remediation phase will need to include the Remediation Information Form. RRs will be returned if this document is not provided. This form can be found at http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/budget/remediation_form.pdf.

RR DUE DATES

Claimants are strongly encouraged to submit RRs quarterly or no more than 90 days after costs are incurred. Timely requests will result in more timely reimbursement. Delayed requests for reimbursement limit the Fund's ability to project current and future expenditures and funds availability.

REVISED REIMBURSEMENT REQUEST FORM

The Reimbursement Request (RR) form has been revised as of July 2012. The new version of the form must be submitted with all RR packages. Effective December 1, 2012, any packages submitted without the revised version of the RR form will be returned to the claimant.

To obtain a revised RR form, contact the Fund at 800-813-FUND (3863) or by e-mail to: USTCF_Payments@waterboards.ca.gov..

REVISED CONDITIONS OF PAYMENT FORM

The Conditions of Payment (COP) form has been revised as of March 2012 to include a new condition that addresses our efforts to prevent fraud, waste and abuse of funds. Effective immediately, RR packages will not be reviewed until the new version of the COP form has been submitted to the Fund. RR packages received without the revised COP form on file with the Fund will be returned to the claimant. This form can be found at http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/claimant_data_record/conditions_pay_cert.pdf .

FAQ'S

(As of October 16, 2012)

**FISCAL YEAR 2012/13
REIMBURSEMENT REQUESTS**

Q: Can I use any of the new FY 12/13 approved budget amounts towards the costs already spent and pending from FY 11/12 budget?

A: No. FY 11/12 budgets were approved for costs incurred in FY 11/12. FY 12/13 budgets have been approved for costs incurred in FY 12/13.

Q: Why will invoices be returned for incomplete information starting December 1, 2012?

A: The Fund is increasing our Fraud, Waste, and Abuse identification and protection efforts. Complete invoices will aid Fund staff in our reviews, and will reduce review times.

Q: Why is the Fund requesting quarterly invoicing with costs incurred no more than 90 days after they are incurred?

A: There are at least three primary reasons:
1) Prevention and identification of fraud, waste, and abuse of the UST Cleanup Fund increases substantially when invoices are submitted in a timely manner;
2) Timely requests will result in more timely reimbursement; and
3) Timely reimbursement improves the Fund's ability to project expenditures; therefore, funds available for future budget years.

Q: Why do reimbursement requests for claims in the remediation phase need to submit the Remediation Information Form for more timely reimbursement?

A: Reimbursement requests for claims in the remediation phase need to submit the Remediation Information Form for more timely reimbursement in order to better substantiate whether costs are reasonable and necessary for reimbursement. The highest costs generally are incurred during the remediation work phase. In order to better contain costs, the Fund will review reimbursement requests for claims in remediation (both start-up and operation and maintenance) for cost-effectiveness and efficiency.